



Jersey Financial
Services Commission
Companies Registry



Registered Trust Company Business (TCB)

Application for a consent for a non-Jersey domiciled structure (**NDS**) which is not an investment fund (**Non-Fund**) (made pursuant to the provisions of the Control of Borrowing (Jersey) Order 1958, as amended (**COBO**)).

This NDS1 (Non-Fund) Form is intended for use by a registered TCB acting on behalf of an NDS (Non-Fund) which requires a consent to be issued pursuant to the COBO (**COBO consent**) under one or more Articles of the COBO referred to in Part C of this NDS1 (Non-Fund) Form.

Any application for COBO consent by an NDS which is an investment fund should be addressed directly to the JFSC's FSB/TCB authorisation team using the appropriate fund application form.

Please note that details of the beneficial owner(s) and controller(s) of the NDS (Non-Fund), are not required to be disclosed under this NDS1 (Non-Fund) Form on the basis it is the responsibility of the registered TCB making the declaration, under Part E of this NDS1 (Non-Fund) Form to ensure that all data and information contained in this NDS1 (Non-Fund) Form is gathered in accordance with the requirements set out in the Money Laundering (Jersey) Order 2008 (**MLO**), with guidance in the AML/CFT/CPF Handbook.

Please note in addition that it is also the responsibility of the TCB to satisfy itself and confirm to the JFSC that the activity of the NDS (Non-Fund) is in compliance with the principles set out in the JFSC's Sound Business Policy (**SBP**).

Part A. Details of NDS (Non-Fund)

1 Structure

1.1 Name of the NDS (Non-Fund).

1.2 Registered office address (or equivalent) in the country of incorporation.

1.3 Date of establishment/incorporation/registration (e.g. 01 APR 2017).

d	d	m	m	m	y	y	y	y
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1.4 Legal form

If Other, please state:

1.5 Registration number in country of establishment/incorporation/registration.

1.6 Country of establishment/incorporation/registration.

Data Protection (Jersey) Law 2018

The Jersey Financial Services Commission (JFSC) will process the personal data you send us together with other information, which comes from or relates to you, to discharge its functions effectively. Processing includes obtaining, keeping, altering, disclosing and deleting personal data. The JFSC may disclose personal data in order to verify the information in this application. You have the right to ask for a copy of the personal data the JFSC holds on you. You also have the right to have inaccuracies corrected. Please contact the Data Protection Officer, Jersey Financial Services Commission, PO Box 267, 14-18 Castle Street, St Helier, Jersey, JE4 8TP if you require assistance.

Part B. Jersey service provider(s) to NDS (Non-Fund)

2 Jersey service provider(s) to NDS (Non-Fund)

TCB Number

2.1 Name and address of registered TCB

Post code

2.2 Name(s) and address(es) of other Jersey service provider(s)

Post code

Part C. Activity of NDS (Non-Fund)

3.1 Under what Article(s) is the COBO consent sought for the purposes of this application?

3.1.1 For a Company:

- ☐ Article 1 – Company raising money in the Island
☐ Article 3 – Company holding register in the Island

3.1.2 For a Unit Trust:

- ☐ Article 9(1)(a) – Unit Trust raising money in the Island
☐ Article 9(1)(b) – Unit Trust holding register of units in the Island

3.1.3 For a Limited Partnership (LP):

- ☐ Article 10(1)(a) – LP raising money in the Island
☐ Article 10(1)(b) – LP creating interests and/or holding register of LP interests in the Island

3.1.4 For a Limited Liability Partnership (LLP):

- ☐ Article 11(1)(a) – LLP raising money in the Island
☐ Article 11(1)(b) – LLP creating interests and/or holding register of LP interests in the Island

3.2 Please confirm whether the activity of the NDS (Non-Fund) or any subsidiary, affiliate or associated entity of the NDS (Non-Fund), falls within the remit of the activities table of the SBP.

Yes ☐ No ☐

3.2.1 If yes, please provide details of the activity falling within the SBP

3.3 If the activity of the NDS (Non-Fund) is not caught within the remit of the SBP, please confirm whether any of the following activities apply to the NDS (Non-Fund):

Holding real estate ☐ Commercial ☐ Residential ☐

Country where real estate is situated (if known)

Part C. Activity of NDS (Non-Fund)

3.4 If the activity of the NDS (Non-Fund) is not caught within the remit of the SBP and none of the activities in 3.3 above apply to the NDS (Non-Fund), please give appropriate details of what other activity the NDS (Non-Fund) will be conducting.

Part D. Higher risk factors

4 Higher risk factors

4.1 Please confirm that, in completing customer due diligence (CDD) in relation to the NDS (Non-Fund), due regard has been given to the following:

- ☐ Corruption (Jersey) Law 2006;
- ☐ Sanctions;
- ☐ The JFSC's proliferation and proliferation financing guidance;
- ☐ Higher risk factors described in the AML/CFT/CPF Handbook (e.g. Part 1, Section 3 - Identification measures (CDD) Requirements and Appendices D1 and D2); and/or
- ☐ Adverse public source information.

4.2 Detail below any higher risk factors identified in the CDD or enhanced due diligence process (as applicable) undertaken as part of this application, having particular regard to [Article 15](#) of the MLO (e.g. is the ultimate beneficial owner connected to an enhanced risk state?).

Part E. Declaration of TCB

We hereby request, on behalf of the NDS (Non-Fund) that any COBO consent to be issued as a result of this application should (i) replace any previous COBO consent issued to, or in relation to the NDS (Non-Fund) pursuant to COBO and (ii) be issued with immediate effect.

To the best of our knowledge, belief and understanding, I/we declare that the information given in this NDS1 (Non-Fund) Form is complete and correct at the time of application, that there are no material facts of which the JFSC should be aware, that **all data and information has been gathered in accordance with the AML/CFT/CPF Handbook**, and that I/we are aware of the penalties contained in the Control of Borrowing (Jersey) Law 1947, as amended, for providing false or misleading information.

I/We also declare that I/We am/are signing for and on behalf of: TCB Number

an entity authorised to conduct by way of business, trust company business as defined in the Financial Services (Jersey) Law 1998.
My/Our position within the authorised entity is:

Director / Authorised signatory

Director / Authorised signatory

and, in line with the authorised entity's internal procedures, I/we am/are entitled to sign this document.

Full Name

Signature

Dated (e.g. 01 APR 2017)

Full Name

Signature

Dated (e.g. 01 APR 2017)

The JFSC will no longer be providing a hard copy of the COBO consent.
Please note that in the event the JFSC requires further information in relation to this NDS (Non-Fund), the JFSC will contact the TCB's compliance contact of record. A copy of the COBO consent, together with the corresponding invoice will also be sent to the TCB's compliance contact of record.